

CLOSED

U.S. District Court
District of New Jersey [LIVE] (Trenton)
CIVIL DOCKET FOR CASE #: 3:10-cv-06194-AET-DEA

TACCETTA v. THE FEDERAL BUREAU OF
 INVESTIGATION et al
 Assigned to: Judge Anne E. Thompson
 Referred to: Magistrate Judge Douglas E. Arpert
 Cause: 05:552 Freedom of Information Act

Date Filed: 11/22/2010
 Date Terminated: 06/29/2012
 Jury Demand: None
 Nature of Suit: 895 Freedom of
 Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff**MARTIN TACCETTA**

represented by **MARTIN TACCETTA**
 256379/165492-A
 NEW JERSEY STATE PRISON
 PO BOX 861
 TRENTON, NJ 08625
 PRO SE

V.

Defendant**THE FEDERAL BUREAU OF
 INVESTIGATION**

represented by **COLETTE R. BUCHANAN**
 OFFICE OF THE US ATTORNEY
 970 BROAD STREET
 ROOM 700
 NEWARK, NJ 07102
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**THE UNITED STATES
 DEPARTMENT OF JUSTICE**

represented by **COLETTE R. BUCHANAN**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/22/2010	<u>1</u>	Complaint Received. No Payment, No IFP Application (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Certificate of Service, # <u>3</u> Cover Letter)(ej) (Entered: 11/30/2010)
12/02/2010		COMPLAINT against THE FEDERAL BUREAU OF INVESTIGATION, THE UNITED STATES DEPARTMENT OF JUSTICE (Filing fee \$ 350 receipt number new004210.), filed by MARTIN TACCETTA. See docket entry <u>1</u> for documents.(ej) (Entered: 12/06/2010)
12/06/2010	<u>2</u>	SUMMONS ISSUED as to THE FEDERAL BUREAU OF INVESTIGATION, THE UNITED STATES DEPARTMENT OF JUSTICE with answer to complaint due within 60 days. (ej) (Entered: 12/06/2010)
01/03/2011	<u>3</u>	AFFIDAVIT of Service for Affidavit of Service served on FBI; US Department of Justice on 12/20/10, filed by MARTIN TACCETTA. (SAYKANIC, JOHN) (Entered: 01/03/2011)
01/24/2011	<u>4</u>	Letter from defendants requesting an extension of time to answer, move or otherwise respond to the Complaint to March 7, 2011. (BUCHANAN, COLETTE) (Entered: 01/24/2011)

01/28/2011	<u>5</u>	LETTER ORDER granting Defendants request for an extension of time, until 3/7/2011, to respond to Plaintiff's Complaint. Signed by Judge Anne E. Thompson on 1/28/2011. (mmh) (Entered: 01/28/2011)
03/04/2011	<u>6</u>	Letter from AUSA Colette R. Buchanan requesting additional 14 day extension of time to answer or otherwise respond to the Complaint. (BUCHANAN, COLETTE) (Entered: 03/04/2011)
03/04/2011	<u>7</u>	NOTICE of Appearance by COLETTE R. BUCHANAN on behalf of THE FEDERAL BUREAU OF INVESTIGATION, THE UNITED STATES DEPARTMENT OF JUSTICE (BUCHANAN, COLETTE) (Entered: 03/04/2011)
03/07/2011	<u>8</u>	LETTER ORDER granting Defendants request for an extension of time, until 3/21/2011, to respond to the Complaint. Signed by Judge Anne E. Thompson on 3/7/2011.(mmh) (Entered: 03/07/2011)
03/17/2011	<u>9</u>	Letter from AUSA Colette R. Buchanan requesting an additional 14 day extension of time to answer or otherwise respond to the Complaint. (BUCHANAN, COLETTE) (Entered: 03/17/2011)
03/21/2011	<u>10</u>	ORDER granting the Defendants request for an additional 14 day extension in which to answer, move or otherwise respond to the Complaint; defendants response due 4/4/2011. Signed by Judge Anne E. Thompson on 3/21/2011. (eaj) (Entered: 03/21/2011)
04/08/2011	<u>11</u>	MOTION for Summary Judgment by THE FEDERAL BUREAU OF INVESTIGATION, THE UNITED STATES DEPARTMENT OF JUSTICE. Responses due by 3/25/2011 (Attachments: # <u>1</u> Brief, # <u>2</u> Declaration of David M. Hardy, # <u>3</u> Exhibit A-E to Hardy Declaration, # <u>4</u> Exhibit F-L to Hardy Declaration, # <u>5</u> Statement of Uncontested Material Facts, # <u>6</u> Text of Proposed Order)(BUCHANAN, COLETTE) (Entered: 04/08/2011)
04/08/2011	<u>12</u>	Letter from AUSA Colette R. Buchanan requesting the Court to accept the Defendants Motion for Summary Judgment out of time. (BUCHANAN, COLETTE) (Entered: 04/08/2011)
04/11/2011		Set Deadlines as to <u>11</u> MOTION for Summary Judgment. Motion set for 5/2/2011 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 04/11/2011)
04/13/2011	<u>13</u>	LETTER ORDER granting request that the Court accept the Defendants' Motion for Summary Judgment out of time. Signed by Judge Anne E. Thompson on 4/13/2011. (mmh) (Entered: 04/13/2011)
04/27/2011	<u>14</u>	Letter from Martin Taccetta. (SAYKANIC, JOHN) (Entered: 04/27/2011)
04/27/2011	<u>15</u>	Letter from defendants consenting to plaintiff's extension request. (BUCHANAN, COLETTE) (Entered: 04/27/2011)
04/29/2011	<u>16</u>	LETTER ORDER granting defendant's request for an extension of time, until 6/30/2011, to file reply papers re: motion for summary judgment. Signed by Judge Anne E. Thompson on 4/29/2011. (mmh) (Entered: 04/29/2011)
05/09/2011		Reset Deadlines as to <u>11</u> MOTION for Summary Judgment. Motion reset for 7/5/2011 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 05/09/2011)
06/17/2011	<u>17</u>	Letter from Martin R. Taccetta. (msd) (Entered: 06/17/2011)
06/17/2011	<u>18</u>	Letter from Martin Taccetta requesting appointment of Counsel and requesting an extension, until 8/1/2011, to file answering papers. (mmh) (Entered: 06/20/2011)
06/23/2011	<u>19</u>	Letter from Defendants consenting to plaintiff's request for extension and opposing request for pro bono counsel. (BUCHANAN, COLETTE) (Entered: 06/23/2011)
06/29/2011	<u>20</u>	ORDER that Plaintiff's extension request [docket # <u>18</u>] is GRANTED; that Plaintiff shall file his Opposition Brief by August 1, 2011; that Defendants shall file their Reply Brief by August 8, 2011; that the return date for Defendants Motion for Summary Judgment shall be re-set to August 15, 2011. Signed by Judge Anne

		E. Thompson on 6/29/2011. (mmh) (Entered: 06/29/2011)
06/29/2011		Reset Deadlines as to <u>11</u> MOTION for Summary Judgment. Motion reset for 8/15/2011 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 06/29/2011)
06/29/2011	<u>21</u>	Order denying application for Pro Bono Counsel for MARTIN TACCETTA. Signed by Magistrate Judge Douglas E. Arpert on 6/29/2011. (mmh) (Entered: 06/29/2011)
06/30/2011	<u>22</u>	Corrected Order denying application for Pro Bono Counsel for MARTIN TACCETTA. Signed by Magistrate Judge Douglas E. Arpert on 6/30/2011. (mmh) (Entered: 06/30/2011)
07/26/2011	<u>23</u>	Letter from Martin Taccetta. (SAYKANIC, JOHN) (Entered: 07/26/2011)
07/29/2011	<u>24</u>	LETTER ORDER granting Plaintiff's request to file an Opposition Brief to the <u>11</u> Motion for Summary Judgment by 8/31/2011. Signed by Judge Anne E. Thompson on 7/28/2011. (mmh) (Entered: 07/29/2011)
08/29/2011	<u>25</u>	Letter from Martin Taccetta. (SAYKANIC, JOHN) (Entered: 08/29/2011)
08/30/2011	<u>26</u>	Letter from Defendants. (BUCHANAN, COLETTE) (Entered: 08/30/2011)
09/06/2011	<u>27</u>	LETTER ORDER granting plaintiff's request for an extension of time, until 9/14/2011, to submit Oppositions papers to the summary judgment motion. Signed by Judge Anne E. Thompson on 8/31/2011. (mmh) (Entered: 09/06/2011)
09/13/2011	<u>28</u>	CROSS MOTION for Summary Judgment or for In Camera Inspection, and for Release of the April 8, 1991 FBI 302 Report and to Strike the Declaration of David M. Hardy by MARTIN TACCETTA. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Text of Proposed Order, # <u>3</u> Cover Letter)(mmh) (Entered: 09/13/2011)
09/13/2011	<u>29</u>	BRIEF in Support re <u>28</u> CROSS MOTION for Summary Judgment or for In Camera Inspection, and for Release of the April 8, 1991 FBI 302 Report and to Strike the Declaration of David M. Hardy, and in Opposition re <u>11</u> MOTION for Summary Judgment filed by MARTIN TACCETTA. (mmh) (Entered: 09/13/2011)
09/13/2011		Set Deadlines as to <u>28</u> CROSS MOTION for Summary Judgment or for In Camera Inspection, and for Release of the April 8, 1991 FBI 302 Report and to Strike the Declaration of David M. Hardy. Motion set for 10/17/2011 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 09/13/2011)
09/14/2011	<u>30</u>	STATEMENT of Material Fact in Support re <u>28</u> CROSS MOTION for Summary Judgment or for In Camera Inspection, and for Release of the April 8, 1991 FBI 302 Report and to Strike the Declaration of David M. Hardy and in Opposition re <u>11</u> MOTION for Summary Judgment filed by MARTIN TACCETTA. (Attachments: # <u>1</u> Declaration of Martin Taccetta)(mmh) (Entered: 09/15/2011)
10/12/2011	<u>31</u>	Letter from Defendants requesting adjournment of motion date and enlargement of time to file a reply regarding summary judgment motion. (BUCHANAN, COLETTE) (Entered: 10/12/2011)
10/13/2011	<u>32</u>	LETTER ORDER resetting deadlines as to <u>28</u> Cross-MOTION for Summary Judgment, <u>11</u> MOTION for Summary Judgment. Motions reset for 11/21/2011 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. Signed by Judge Anne E. Thompson on 10/13/2011. (mmh) (Entered: 10/13/2011)
11/14/2011	<u>33</u>	Letter from Defendants requesting a further adjournment of the return date and enlargement of time to to file a reply regarding summary judgment motion. (BUCHANAN, COLETTE) (Entered: 11/14/2011)
11/21/2011	<u>34</u>	LETTER ORDER granting request for a further adjournment of the return date for Defendants' motion for summary judgment and Plaintiff's cross-motion for summary judgment to 12/19/2011. Signed by Judge Anne E. Thompson on 11/18/2011. (mmh) (Entered: 11/21/2011)

11/21/2011		Reset Deadlines as to <u>28</u> Cross-MOTION for Summary Judgment, <u>11</u> MOTION for Summary Judgment. Motions reset for 12/19/2011 before Judge Anne E. Thompson. The motions will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 11/21/2011)
12/07/2011	<u>35</u>	Letter from Defendants requesting a further adjournment of the return date and extension of time to file a reply regarding summary judgment motion. (BUCHANAN, COLETTE) (Entered: 12/07/2011)
12/08/2011	<u>36</u>	LETTER ORDER that the Defendants' motion for summary judgment and Plaintiff's cross-motion for summary judgment are reset for 1/3/2012. Signed by Judge Anne E. Thompson on 12/8/2011. (mmh) (Entered: 12/08/2011)
12/08/2011		Reset Deadlines as to <u>28</u> MOTION for Summary Judgment MOTION to Strike, <u>11</u> MOTION for Summary Judgment. Motions reset for 1/3/2012 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 12/08/2011)
12/27/2011	<u>37</u>	Letter from Defendants respectfully requesting a further adjournment of the return date and extension of time to file a reply regarding summary judgment motion. (BUCHANAN, COLETTE) (Entered: 12/27/2011)
12/29/2011	<u>38</u>	LETTER ORDER adjourning the Motion date for Defendants Motion for Summary Judgment and Plaintiffs Cross-Motion to 2/6/2012 and granting Defendant an additional extension of time to reply to Plaintiffs opposition papers and cross-motion to 1/30/2012. Signed by Judge Anne E. Thompson on 12/28/2011. (ej) Modified on 12/29/2011 (ej,). (Entered: 12/29/2011)
12/29/2011		RESET Deadlines as to <u>11</u> MOTION for Summary Judgment. Motion Reset for 2/6/2012 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (ej) (Entered: 12/29/2011)
12/29/2011		RESET Deadlines as to <u>28</u> MOTION for Summary Judgment MOTION to Strike. Motion Reset for 2/6/2012 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (ej) (Entered: 12/29/2011)
01/27/2012	<u>39</u>	Letter from Defendants requesting further adjournment of the return date and extension of time to file a reply regarding summary judgment motion. (BUCHANAN, COLETTE) (Entered: 01/27/2012)
01/31/2012	<u>40</u>	LETTER ORDER granting request that the Defendant's motion for summary judgment and Plaintiff's cross-motion for summary judgment be reset for 2/21/2012. Signed by Judge Anne E. Thompson on 1/31/2012. (mmh) (Entered: 01/31/2012)
01/31/2012		Reset Deadlines as to <u>28</u> MOTION for Summary Judgment, <u>11</u> MOTION for Summary Judgment. Motions reset for 2/21/2012 before Judge Anne E. Thompson. The motion will be decided on the papers. No appearances required unless notified by the court. (mmh) (Entered: 01/31/2012)
02/13/2012	<u>41</u>	REPLY BRIEF to Opposition to Motion re <u>28</u> MOTION for Summary Judgment MOTION to Strike, <u>11</u> MOTION for Summary Judgment filed by THE FEDERAL BUREAU OF INVESTIGATION, THE UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Statement of Disputed Facts in Response to Plaintiff's Statement of Undisputed Facts)(BUCHANAN, COLETTE) (Entered: 02/13/2012)
02/14/2012	<u>42</u>	CERTIFICATE OF SERVICE by THE FEDERAL BUREAU OF INVESTIGATION, THE UNITED STATES DEPARTMENT OF JUSTICE re <u>41</u> Reply Brief to Opposition to Motion, (BUCHANAN, COLETTE) (Entered: 02/14/2012)
06/29/2012	<u>43</u>	OPINION filed. Signed by Judge Anne E. Thompson on 6/29/2012. (mmh) (Entered: 06/29/2012)
06/29/2012	<u>44</u>	ORDER that Defendants' Motion for Summary Judgment (docket entry <u>11</u>) is hereby granted; that Plaintiff's Cross-Motion for Summary Judgment (docket entry <u>28</u>) is hereby denied; that Plaintiff's complaint is hereby dismissed; that the Clerk

		of the Court shall close this case. Signed by Judge Anne E. Thompson on 6/29/2012. (mmh) (Entered: 06/29/2012)
06/29/2012		***Civil Case Terminated. (mmh) (Entered: 06/29/2012)